

Message Text

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PASS ALSO DEPT. OF COMMERCE - HOWARD FORMAN

USEEC

E.O. 11652: N/A
TAGS: ECE, ETRD
SUBJECT: ECE GROUP OF EXPERTS ON STANDARDIZATION POLICIES,
APRIL 3 - 7, 1978

1. GROUP OF EXPERTS (G/E) COMPLETED PREPARATORY WORK FOR
PLENARY MEETING OF GOVERNMENT OFFICIALS RESPONSIBLE FOR
STANDARDIZATION POLICIES TO BE HELD JUNE 12-16, 1978.
MOST OF AGENDA RAISED NO SPECIAL PROBLEM BUT COMPLETION
OF WORK ON CONFORMITY CERTIFICATION (AGENDA ITEM 3)
PRODUCED CONTROVERSY ABOUT WORDING OF DRAFT RECOMMENDATION
FOR THE CREATION AND PROMOTION OF INTERNATIONAL CERTIFICA-
TION ARRANGEMENTS AS DESCRIBED BELOW. IN ORIGINAL DRAFT
PARA 1.3 "PARTICIPATION" (ECE DOC. STAND/GE.1/R.25) READ
AS FOLLOWS: "CERTIFICATION ARRANGEMENTS SHOULD BE OPEN
TO PARTICIPATION BY ANY COUNTRY WILLING TO ACCEPT THE
RESULTS OF TESTING AND INSPECTION CARVED OUT IN OTHER
COUNTRIES IN ACCORDANCE WITH ESTABLISHED RULES PROVIDED
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IT COMMITS ITSELF TO FULFILL OBLIGATIONS RESULTING FROM
THE PROVISIONS THEREOF AND IS ABLE TO DO SO".

2. EC COUNTRIES STARTING WITH BELGIUM AND FINALLY ENCOM-
PASSING ALL NINE, STATED ABOVE WORKING UNACCEPTABLE
AND ADVOCATED LANGUAGE RESTRICTING ENTRY OF THIRD
COUNTRIES. AFTER INCONCLUSIVE DISCUSSION CHAIRMAN

APPOINTED SMALL DRAFTING WORK GROUP TO SETTLE PROBLEM. GROUP ORIGINALLY INCLUDED BELGIUM, FRANCE, CANADA, DENMARK, U.K., SWEDEN AND EC. U.S. LATER ADDED TO GROUP EC COUNTRIES SUGGESTED NEW PARA 1.3 AS FOLLOWS: "PARTICIPATION IN CERTIFICATION ARRANGEMENTS SHOULD BE NEGOTIABLE ON THE BASIS OF THE RECIPROCAL RIGHTS, ADVANTAGES AND OBLIGATIONS WITH EVERY COUNTRY WHICH IS ABLE TO CONFORM WITH THE ESTABLISHED RULES AND IS PREPARED TO DO SO." USDEL POINTED OUT THAT THIS FORMULATION COMPLETELY OMITTS AFFIRMATION OF BASIC PRINCIPLE OF OPEN PARTICIPATION AND LEAVES NEW POTENTIAL ENTRANTS AT MERCY OF ORIGINAL PARTICIPANTS. EC COUNTRIES AND EC REPRESENTATIVES (FAURE) INSISTED THAT AUTOMATIC ENTRY AS OF RIGHT NOT ACCEPTABLE AND IS IMPRACTICAL IN TERMS OF TECHNICAL AND COMMERCIAL REALITIES AND THAT THERE MUST BE PROVISION FOR DISCUSSION. CRUX OF PROBLEM SEEMS TO BE CLOSE RELATION OF CERTIFICATION ARRANGEMENTS TO OTHER COMMERCIAL ARRANGEMENTS WHICH MAY HAVE NOTHING TO DO WITH STANDARDS OR CERTIFICATION. EC COUNTRIES UNWILLING ALLOW RIGHT OF ENTRY TO OUTSIDERS WISHING TO JOIN ONLY THOSE ARRANGEMENTS CLEARLY ADVANTAGEOUS TO THEM.

3. USDEL SUGGESTED REWORDING FOLLOW:

"CERTIFICATION ARRANGEMENTS SHOULD BE OPEN TO PARTICIPATION BY ANY COUNTRY WILLING TO ACCEPT AND ABLE TO CONFORM WITH THE EXISTING RULES AND OBLIGATIONS. ENTRY OF A THIRD LIMITED OFFICIAL USE

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COUNTRY INTO AN ARRANGEMENT MAY INCLUDE NEGOTIATIONS IN ORDER TO REACH AGREEMENT ON ANY CONDITION WHICH MAY BE NEEDED TO ADJUST THE ARRANGEMENTS TO ENSURE THE RECIPROCAL ADVANTAGES, RIGHTS AND OBLIGATIONS OF ALL PARTIES CONCERNED." THIS LANGUAGE WAS ACCEPTABLE TO EC BLOC AND TO CANADA (DOUGLAS) AND SWEDEN (BORG), AND WAS ULTIMATELY ACCEPTED BY FULL G/E. SOVIET BLOC DID NOT SPEAK BUT SUPPORTED NEW LANGUAGE. IN VIEW OF OBVIOUS RELATION THIS EPISODE TO GATT STANDARDS CODE, USDEL GAVE BRIEFING TO WALLER AT US/MTN MISSION WITH RELEVANT DOCUMENTATION.

4. ENTIRE DRAFT RECOMMENDATION FOR THE CREATION AND PROMOTION OF INTERNATIONAL CERTIFICATION ARRANGEMENTS WILL BE SUBMITTED TO JUNE PLENARY. IF APPROVED IT WOULD HAVE NO LEGAL EFFECT BUT WOULD SERVE AS SET OF GUIDELINES FOR ECE COUNTRIES. USDEL RELIABLY INFORMED -- BY STRECKER (GERMANY) AND BERGHOLM (FINLAND) -- THAT SAME ISSUE WILL BE RAISED AT NEXT MEETING ON GATT STANDARDS CODE. VANDEN HEUVEL

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